

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:06CR266

UNITED STATES OF AMERICA

VS.

DONALD STEVEN CAGLE

)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on the Magistrate Judge's Memorandum and Recommendation, filed March 2, 2007.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, United States Magistrate Judge Dennis L. Howell, was designated to consider pending motions in the captioned criminal action and to submit to this Court recommendations for the disposition of these motions.

The Magistrate Judge's Memorandum and Recommendation containing proposed findings of fact and conclusions of law in support of a recommendation regarding Defendant's motion to suppress. The parties were advised that any objections to the Magistrate Judge's findings were to

be filed in writing within 14 days of service of the Recommendation; the period within which to file objections expired on March 19, 2007. No written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's motion be denied.

IT IS, THEREFORE, ORDERED that the Defendant's motion to suppress is hereby **DENIED**.

Signed: March 22, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

